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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/475,448	12/30/1999	David Johnston LYNCH	RCA-89-385	6337

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PATENT OPERATIONS
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EXAMINER

CHUNG, JASON J

ART UNIT	PAPER NUMBER
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2611

DATE MAILED: 04/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/475,448

Applicant(s)

LYNCH, DAVID JOHNSTON

Examiner

Jason J. Chung

Art Unit

2611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 December 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) 1-9 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 10-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12/13/04 has been entered.

Response to Arguments

2. Applicant's arguments with respect to claims 10-29 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 10-17, 19, 21-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Collings (US Patent # 5,828,402) in view of Ford (US Patent # 6,181,364).

Art Unit: 2611

Regarding claim 10, Collings discloses a video signal processor for producing an output signal suitable for coupling to a display device 22 to produce a plurality of images for display to at least one viewer (column 3, lines 17-31).

Collings discloses a supervisor control system 20 operable by a supervisor to create at least one viewer profile (profile: column 16, lines 50-67) identifying programs to be blocked from display to the at least one viewer (column 3, lines 5-16).

Collings discloses the supervisor control system 20 operable by the supervisor to select a specific program having a rating above a set rating for blocking programs applicable to the viewer profile such that the select program is unblocked (one or more features unblock [time and program unblocked]: column 17, lines 1-32).

Collings discloses whereby completion of the selected specific program, the supervisor control system 20 identifies programs to be blocked according to the at least one viewer profile (one or more features unblock [time and program unblocked]: column 17, lines 1-32; also see set and save threshold: column 17, line 49-column 18, line 4).

However, Collings fails to disclose the supervisor control system 20 identifies images to be blocked according to the at least one viewer profile. Ford discloses identifying images (column 5, lines 8-25) to be blocked according to the at least one viewer profile (column 8, lines 45-64). Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Collings to identify images to be blocked according to at least one viewer profile as taught by Ford for the benefit of blocking objectionable video scenes.

Art Unit: 2611

Regarding claim 11, Collings in view of Ford discloses the images (Ford: column 8, lines 45-64) correspond to programs and the viewer profile identifies programs to be blocked from display to the at least one viewer (Collings: column 17, lines 8-32; figures 5B and 5H).

Regarding claim 12, Collings in view of Ford discloses the images (Ford: images) correspond to channels and wherein the viewer profile identifies channels to be blocked from display to at least one viewer (Collings: column 17, lines 8-32; figures 5B and 5G).

Regarding claim 13, Collings in view of Ford discloses the viewer profile identifies at least one time period during which all images are to be blocked from display to the viewer (Collings: column 17, lines 8-32; figures 5B and 5I).

Regarding claim 14, Collings in view of Ford discloses an override list (Collings: column 17, lines 20-32; figure 5B) is formed including a selection of a plurality of programs (Collings: delete program(s) from list to unblock: column 19, line 52-column 20, line 6; figure 5H) having a rating above a set rating for blocking programs applicable to the viewer profile by a user and the override list is applicable to at least one corresponding viewer profile such that at least one image (Ford: images) to be blocked according to the viewer profile is unblocked and at least one other image not blocked according to the viewer profile is blocked (Collings: user overrides one label to 'allow' and overrides another label to 'block': figure 5E; also see column 17, lines 1-32).

Regarding claim 15, Collings discloses the override list (figure 5B) is temporarily applied to at least one viewer profile (column 17, lines 1-32).

Regarding claim 16, Collings discloses the override list is applied for a period of time specified by the supervisor (suspend for 1 hour: column 17, lines 20-32).

Regarding claim 17, Collings discloses the override list includes at least one override selected from the group comprising at least one channel override, at least one time period blocking override, at least one rating blocking override, at least one program override, at least one total view time override (column 17, lines 20-32; figure 5B).

Regarding claim 19, Collings discloses the control system 20 operable by the supervisor to create a plurality of override lists (more than one feature) applicable to the at least one viewer profile (column 17, lines 20-32; figure 5B).

Regarding claim 21, Collings discloses the supervisor control system 20 for producing an output signal includes at least one item selected from the group comprising: television receiver, VCR tuner (column 3, lines 17-30).

Regarding claim 22, Collings discloses a display to a viewer a blocking status based upon the override list (figure 5B).

Regarding claim 23, the limitations in claim 23 have been met in claim 10 rejection.

Regarding claim 24, Collings discloses forming the override list (figures 5B-5I) and the user preference information is stored in non-volatile memory 58 (column 13, lines 7-25; column 16, lines 35-40).

Regarding claim 25, the limitations in claim 25 have been met in claim 16 rejection.

Regarding claim 27, the limitations in claim 27 have been met in claim 11 rejection.

Regarding claim 28, the limitations in claim 28 have been met in claim 12 rejection.

Regarding claim 29, the limitations in claim 29 have been met in claim 13 rejection.

4. Claims 18, 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Collings in view of Ford in further view of West (US Patent # 5,550,575).

Art Unit: 2611

Regarding claims 18, 20, as previously disclosed in claim 10 rejections, Collings discloses the multiple overrides. Collings discloses the user preference for viewing (column 3, lines 2-16).

Neither Collings nor Ford discloses multiple viewer profiles. West discloses PINs for each member of a household (column 5, lines 3-19). West discloses the multiple profiles so the user may decide what level is permissible for each family member so that the censorship is applicable to different age groups (column 5, lines 30-40). West discloses overrides to select the ratings for viewing (column 7, lines 29-40). Additionally, West discloses the parents can override the program ratings (column 14, lines 16-37). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Collings in view of Ford to have a plurality of profiles as taught by West so the parent can specify the level of viewing for each member of a household that has different age groups.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason J. Chung whose telephone number is (703) 305-7362. The examiner can normally be reached on M-F, 7:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Grant can be reached on (703) 305-4755. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2611

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JJC



CHRIS GRANT
PRIMARY EXAMINER